1 COX WOOTTON LERNER GRIFFIN & HANSEN LLP RUPERT P. HANSEN (SBN 082302) 2 CHRISTOPHER S. KIELIGER (SBN 209121) JULIETTE B. McCULLOUGH (SBN 278929) 3 900 Front Street, Suite 350 San Francisco, CA 94111 4 Telephone: (415) 438-4600 5 Facsimile: (415) 438-4601 rhansen@cwlfirm.com ckieliger@cwlfirm.com 6 imccullough@cwlfirm.com 7 Attorneys for Defendant/Counterclaimant DISCOVERY BAY YACHT HARBOR, LLC. 8 and Defendant KEN HOFMANN, individually 9 UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 MAX WADMAN and KELLY Case No. C14-5035 WHA 12 TOPPING, [PROPOSED] ORDER THAT PLAINTIFFS 13 Plaintiffs, PRODUCE MAX WADMAN'S COMPLETE UNREDACTED MEDICAL RECORDS 14 ٧. 15 DISCOVERY BAY YACHT HARBOR, LLC; NEW DISCOVERY, INC.; 16 DISCOVERY BAY MARINA PROPERTIES, a California General 17 Partnership; KEN HOFMANN; WALTER L. YOUNG; RONALD DAWSON; 18 WALTER L. YOUNG and MARY C. YOUNG, TRUSTEES OF THE YOUNG 19 REVOCABLE TRUST DATED FEBRUARY 11, 1999; AND DOES 1-100, 20 inclusive, Defendants. 21 22 The discovery dispute between plaintiffs MAX WADMAN and KELLY TOPPING 23 ("Plaintiffs") and defendants DISCOVERY BAY YACHT HARBOR, LLC and KENNETH HOFMANN ("Defendants") came on for hearing on November 18, 2015 at 10:30 a.m. in Courtroom 24 8 of the District Court for the Northern District of California, the Honorable William H. Alsup 25 presiding. The parties disputed whether the Plaintiffs must produce redacted or unredacted copies of 26 all medical records from the Veteran's Administration Hospitals in their possession, custody, and 27 28

COX, WOOTTON, LERNER, GRIFFIN

HANSEN, LLP

900 FRONT STREET, SUITE 350 SAN FRANCISCO, CA 94111 TEL: 415-138-4600 FAX: 415-438-4601

DBYH, Topping

control.

The Court found good cause to rule that Plaintiff Max Wadman's medical and psychiatric records are discoverable, and hereby orders Plaintiffs to produce to Defendants Plaintiff Max Wadman's medical and psychiatric records from the Veteran's Administration Hospitals to Defendants without redaction. Although the attorneys and parties are governed by a pre-existing Stipulated Protective Order, Defendants' counsel are admonished not to disclose any of the content of Plaintiff Wadman's medical and/or psychiatric records to anyone other than attorneys and support staff in their firm and Defendants' medical or psychiatric experts, absent either agreement of the parties or further order of the Court.

IT IS SO ORDERED.

Approved as to form by

Celia McGuinness

7 Counsel for Plaintiffs

Max Wadman and Kelly Topping

DATED: November 23, 2015.

United States District Judge William Alsur